

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-43-04**

*WHEREAS, ESTATES OF BISCAYNE, INC.* applied to Community Zoning Appeals

Board 15 for the following:

AU & GU to EU-M

SUBJECT PROPERTY: The south ½ of the SE ¼ of the NW ¼ of Section 6, Township 57 South, Range 39 East.

LOCATION: The Northwest corner of S.W. 288 Street and S.W. 172 Avenue, Miami-Dade County, Florida, and

*WHEREAS,* a public hearing of Community Zoning Appeals Board 14 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 14 that the requested district boundary change to EU-M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied and said application was denied by Resolution No. CZAB14-16-04, and

*WHEREAS, ESTATES OF BISCAYNE, INC.* appealed the decision of Community Zoning Appeals Board 14 to the Board of County Commissioners for the following:

AU & GU to EU-M

SUBJECT PROPERTY: The south ½ of the SE ¼ of the NW ¼ of Section 6, Township 57 South, Range 39 East.

LOCATION: The Northwest corner of S.W. 288 Street and S.W. 172 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board that the grounds and reasons made by Community Zoning Appeals Board 14 in Resolution No. CZAB14-16-04 were insufficient to merit a reversal of the decision and the appeal should be denied and the decision of Community Zoning Appeals Board 14 should be sustained, and

WHEREAS, a motion to deny the appeal and sustain the decision of Community Zoning Appeals Board 14 was offered by Commissioner Katy Sorenson, seconded by Commissioner Sally A. Heyman, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	nay	Dorin D. Rolle	aye
Jose "Pepe" Diaz	absent	Natacha Seijas	nay
Carlos A. Gimenez	aye	Dr. Barbara M. Carey-Shuler	absent
Sally A. Heyman	aye	Katy Sorenson	aye
Barbara J. Jordan	aye	Rebecca Sosa	aye
Dennis C. Moss	absent	Sen. Javier D. Souto	nay

Chairperson Joe A. Martinez                      aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied and the decision of Community Zoning Appeals Board 14 is sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB14-16-04 remains in full force and effect.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 16<sup>th</sup> day of December, 2004, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 04-2-CZ14-1

ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By **KAY SULLIVAN**  
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 27<sup>TH</sup> DAY OF DECEMBER, 2004.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-43-04 adopted by said Board of County Commissioners at its meeting held on the 16<sup>th</sup> day of December, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 27<sup>th</sup> day of December, 2004.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**

